

CHAPTER 1

AUTHORITY AND PURPOSE

TABLE OF CONTENTS

1.A. GENERAL	1-1
1.A.1. Applicability	1-1
1.A.2. Authority	1-1
1.A.3. Purpose.....	1-1
1.A.4. Coverage.....	1-1
1.A.5. Responsibility.....	1-2
1.A.6. Superseded Policy.....	1-2
1.A.7. Effective Date.....	1-2
1.B. GUIDING PRINCIPLES.....	1-3
1.B.1. Goal	1-3
1.B.2. Best Value.....	1-3
1.B.3. Objectives	1-3
1.B.4. Responsibility.....	1-3
1.B.5. Team Approach.....	1-3
1.B.6. Core Team Members.....	1-3
1.B.7. Other DOA Team Members	1-4
1.B.8. Assistance Outside DOA	1-4
1.B.9. The Team.....	1-4
1.C. DELEGATIONS OF AUTHORITY	1-5
1.C.1. General.....	1-5
1.C.2. Actual Delegations.....	1-5
1.D. FDIC ROLES AND RESPONSIBILITIES	1-6
1.D.1. Program Office(s).....	1-6
1.D.2. Board of Directors	1-6
1.D.3. Chief Financial Officer (CFO).....	1-6
1.D.4. Director, DOA.....	1-6
1.D.5. Associate Director, ACSB	1-6
1.D.6. Regional Manager, DOA	1-6
1.D.7. Assistant Director, Leasing Section.....	1-6
1.D.8. Leasing Section.....	1-6
1.D.9. Leasing Specialist	1-7
1.D.10. Chief, Corporate Services Staff.....	1-7
1.D.11. Corporate Services Staff	1-7
1.D.12. Facilities Manager, Corporate Services	1-7
1.D.13. Facilities Planning Section, ACSB (FPS).....	1-7

<i>Chapter 1</i> <i>Authority and Purpose</i>	<i>FDIC Leasing Policy Manual</i>
--	-----------------------------------

1.D.14.	Management Review Staff.....	1-7
1.D.15.	Security Management Section, ACSB (SMS).....	1-7
1.D.16.	Warranted Contracting Officer, ACSB	1-7
1.D.17.	Legal Division	1-7
1.D.18.	Labor and Employee Relations Specialist, PSB.....	1-7
1.D.19.	Disbursements Section, DOF	1-8
1.D.20.	DIRM	1-8
1.D.21.	Ethics Section, OES.....	1-8

1.E.	ACRONYMS AND ASSOCIATED DOCUMENTS	1-9
1.E.1.	Acronyms	1-9
1.E.2.	Glossary	1-9
1.E.3.	Facilities Design Guide	1-9
1.E.4.	Standard Lease Documents.....	1-9
1.E.5.	Corporate Strategic Plan and Approved Staffing Projections	1-9

CHAPTER 1

AUTHORITY AND PURPOSE

1.A. GENERAL

- 1.A.1. Applicability** This chapter defines the authority and purpose of the Leasing Policy Manual (LPM) and describes the roles and responsibilities of Federal Deposit Insurance Corporation (FDIC) personnel.
- 1.A.2. Authority** The Federal Deposit Insurance Act (FDIA) (12 U.S.C. 1819(a)) empowers the Federal Deposit Insurance Corporation (FDIC) to enter into binding agreements, including leases. The FDIA also permits FDIC to develop a leasing program to acquire and to administer such leases.
- The authority to establish policies and procedures for the leasing program has been delegated to the Director, Division of Administration (DOA) by the Board of Directors.
- The LPM is issued by the Acquisition and Corporate Services Branch, DOA, Headquarters, Washington, DC, (ACSB) pursuant to such authority.
- 1.A.3. Purpose** The LPM establishes and defines the policies and procedures for the leasing program.
- 1.A.4. Coverage** The LPM governs all leases entered into, and all leasing actions performed, after the LPM effective date, shown in LPM 1.A.7., except those entered into by FDIC:
- Acting as the conservator or receiver of a failed financial institution; or
 - Operating as a bridge bank.
- Leasing actions include:
- Renegotiation of an existing lease;
 - Acquisition of a new lease;
 - Amendment;
 - Extension;
 - Exercise of option;
 - Expansion;

<i>Chapter 1</i> <i>Authority and Purpose</i>	<i>FDIC Leasing Policy Manual</i>
--	-----------------------------------

- Administration;
- Early termination;
- Subleasing; and
- Negotiation of work letters.

1.A.5. Responsibility

ACSB shall develop, communicate, and implement all policies and procedures of the leasing program.

The Leasing Section, ACSB, shall oversee the implementation of the leasing program throughout FDIC.

1.A.6. Superseded Policy

The LPM supersedes the 1987 Directive on “Leasing of Real Estate,” Circular 3540.1.

1.A.7. Effective Date

The effective date of the LPM is December 15, 1999.

<i>1-2</i>	<i>12/15/99</i>	<i>Acquisition and Corporate Services Branch</i>
------------	-----------------	--

1.B. GUIDING PRINCIPLES

- 1.B.1. Goal** FDIC shall lease space that:
- Provides a safe, healthy, efficient, and pleasant work environment for its employees;
 - Meets the programmatic needs of the organization; and
 - Provides the “best value” in terms of cost and other factors.
- 1.B.2. Best Value** Best value is the use of business judgment to make a series of qualitative and quantitative decisions. Financial analysis is significant, but not the sole determining factor. Other evaluation criteria, such as location and flexibility in lease terms and conditions, impact the best value decision.
- 1.B.3. Objectives** The overall objectives of the LPM are to:
- Facilitate acquisition of quality space at a fair price;
 - Ensure adequate planning and coordination;
 - Provide a flexible process;
 - Strengthen internal controls; and
 - Promote fair and consistent treatment of offerors.
- 1.B.4. Responsibility** The Leasing Section is responsible for headquarters and regional office leases.
- Corporate Services Staff, DOA, in each regional office is responsible for field office and warehouse leases.
- 1.B.5. Team Approach** The DOA is a service organization that supports program divisions and offices (the Program Office(s)) by soliciting, acquiring, and administering leases. Other FDIC organizations play a significant role, as well. Therefore, a team approach is critical.
- 1.B.6. Core Team Members** The following individuals work together under the auspices of DOA to ensure the effectiveness of the leasing program:
- Leasing Specialist;
 - Broker;
 - Facilities Manager; and
 - Architect-Engineer.

1.B.7. Other DOA Team Members

The core team is supported by other team members within DOA including:

- Management Review Staff; and
- Labor and Employee Relations Specialist, Personnel Services Branch (PSB).

1.B.8. Assistance Outside DOA

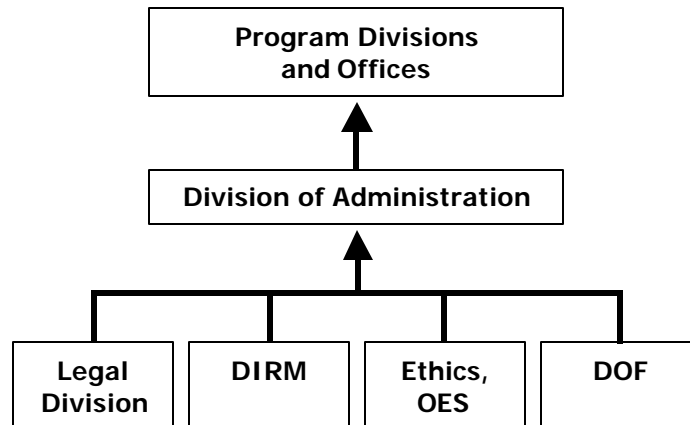
Significant contributions are also made by several FDIC organizations outside DOA including:

- Legal Division;
- Division of Finance (DOF);
- Division of Information Resources Management (DIRM); and
- Ethics Section of the Office of the Executive Secretary (OES).

These offices provide support to the team.

1.B.9. The Team

This team approach is illustrated below:



1.C. DELEGATIONS OF AUTHORITY

1.C.1. General

Consistent with the Delegation of Authority issued by the Board of Directors pursuant to Resolution bearing seal number 060985, entitled, "Expenditure Delegations for Contracts, Leases, Legal Services, and Non-Procurement Related Expenses" (the "Expenditure Delegations"), the Director of DOA has redelegated the authority described in "Division of Administration Redelegations of Authority Associated with Real Property Leases" (the "DOA Redelegations") to various officials within the Division of Administration.

1.C.2. Actual Delegations

LPM Exhibit A contains the Expenditure Delegations and the DOA Redelegations.

1.D. FDIC ROLES AND RESPONSIBILITIES

- 1.D.1. Program Office(s)** The Program Office(s) is the organizational unit requiring the leased space. The Program Office(s) shall provide information on its requirements and assist the Leasing Specialist as requested throughout the leasing process.
- 1.D.2. Board of Directors** The Board of Directors has authority under FDIA to enter into binding agreements, including leases.
- The Board of Directors is the approving authority for headquarters and regional office leases.
- 1.D.3. Chief Financial Officer (CFO)** The Chief Financial Officer (CFO) shall:
- Approve the length of any initial lease term which is longer than 5 years; and
 - Concur on all lease cases for headquarters and regional offices before presentation to the Board of Directors.
- 1.D.4. Director, DOA** The Director, DOA, has delegated authority from the Board of Directors to approve policies and procedures for the leasing program.
- 1.D.5. Associate Director, ACSB** The Associate Director, ACSB, shall develop leasing policies and procedures, distribute them through the LPM, and approve waivers or changes to the LPM.
- The Associate Director, ACSB, shall authorize Fitness and Integrity Policy waivers and the use of abbreviated Fitness and Integrity Certifications.
- 1.D.6. Regional Manager, DOA** For field office and warehouse leases, the Regional Manager, DOA, is the approving authority and shall ensure that the leasing process is conducted in accordance with the LPM.
- 1.D.7. Assistant Director, Leasing Section** For headquarters and regional office leases, the Assistant Director, Leasing Section, shall supervise the leasing process and ensure that the leasing process is conducted in accordance with the LPM.
- 1.D.8. Leasing Section** The Leasing Section shall communicate and implement all policies and procedures related to the leasing program. Additionally, the Leasing Section shall be responsible for

conducting the leasing process for headquarters and regional office leases.

The Leasing Section shall provide technical assistance and support to field office leasing personnel.

1.D.9. Leasing Specialist

The Leasing Specialist shall be responsible for all phases of the leasing process. The Leasing Specialist includes the Realty Specialist in the Leasing Section, Headquarters, Washington, DC, and the Facilities Manager, Corporate Services, in regional offices.

1.D.10. Chief, Corporate Services Staff

For field office and warehouse leases, the Chief, Corporate Services Staff, shall supervise the leasing process.

1.D.11. Corporate Services Staff

Corporate Services Staff in each regional office shall be responsible for conducting the leasing process for field office and warehouse leases.

1.D.12. Facilities Manager, Corporate Services

The Facilities Manager shall oversee construction of initial tenant improvements and monitor day-to-day services provided under the lease.

In the regional office, the Facilities Manager may also serve as the Leasing Specialist.

1.D.13. Facilities Planning Section, ACSB (FPS)

The Facilities Planning Section (FPS) shall be responsible for services relating to the planning and development of leased space.

1.D.14. Management Review Staff

The Management Review Staff shall confirm all approved staffing projections provided by the Program Office(s) and resolve any significant discrepancies.

1.D.15. Security Management Section, ACSB (SMS)

The Security Management Section (SMS) shall perform background checks on selected offerors and alternates.

1.D.16. Warranted Contracting Officer, ACSB

A Warranted Contracting Officer, Acquisition Section, shall provide contracting support to the Leasing Specialist throughout the leasing process.

1.D.17. Legal Division

The Legal Division shall develop and maintain the standard lease documents and provide legal advice and opinions as requested.

1.D.18. Labor and Employee Relations Specialist, PSB

The Labor and Employee Relations Specialist in the Personnel Services Branch (PSB) shall interface with the National Treasury Employees Union (NTEU) with respect to

<i>Chapter 1</i> <i>Authority and Purpose</i>	<i>FDIC Leasing Policy Manual</i>
--	-----------------------------------

the leased space.

**1.D.19. Disbursements
Section, DOF**

The Disbursements Section, DOF, shall process all lease payments based on authorized Payment Authorization Vouchers (PAVs).

1.D.20. DIRM

The Division of Information Resource Management (DIRM) shall coordinate the planning, installation and removal of computers, telecommunications, and cabling for leased space.

1.D.21. Ethics Section, OES

The Ethics Section, OES, shall review and approve waivers of conflicts of interest.

<i>1-8</i>	<i>12/15/99</i>	<i>Acquisition and Corporate Services Branch</i>
------------	-----------------	--

1.E. ACRONYMS AND ASSOCIATED DOCUMENTS

- 1.E.1. Acronyms** A list of acronyms and definitions is included in Appendix A. Acronyms used in this manual but not otherwise defined in its text shall be set forth in Appendix A.
- 1.E.2. Glossary** A glossary of terms is included as Appendix B. Terms used in this manual but not otherwise defined in its text shall be set forth in Appendix B.
- 1.E.3. Facilities Design Guide** The Facilities Design Guide, maintained by ACSB, provides overall guidance for the design and layout of leased space and is referenced throughout the leasing process (e.g., to calculate space requirements in the Determination of Need).
- 1.E.4. Standard Lease Documents** The Legal Division generates and maintains the following standard lease documents:
- Standard Office Lease Agreement, Headquarters and Regional Office Leases;
 - Standard Office Lease Agreement, Field Office Leases;
 - Standard Warehouse Lease Agreement;
 - Work Letter Agreement for Initial Tenant Improvements estimated to cost \$100,000 or greater;
 - Work Letter Agreement for Initial Tenant Improvements estimated to cost less than \$100,000;
 - Sublease Agreement with FDIC as landlord; and
 - Sublease Agreement with FDIC as tenant.
- These standard lease documents are used throughout the leasing process.
- 1.E.5. Corporate Strategic Plan and Approved Staffing Projections** All leasing actions shall be coordinated with the Corporate Strategic Plan and Approved Staffing Projections, as verified by the Management Review Staff.

<i>Chapter 1</i> <i>Authority and Purpose</i>	<i>FDIC Leasing Policy Manual</i>
--	-----------------------------------

This Page Intentionally Left Blank

<i>1-10</i>	<i>12/15/99</i>	<i>Acquisition and Corporate Services Branch</i>
-------------	-----------------	--